

AMENDED IN ASSEMBLY MARCH 8, 2001

CALIFORNIA LEGISLATURE—2001–02 FIRST EXTRAORDINARY SESSION

ASSEMBLY BILL

No. 33

Introduced by Assembly Member Robert Pacheco
(Coauthors: Assembly Members Ashburn, Bates, Bill Campbell, Cogdill, Cox, Havice, Hollingsworth, Koretz, Leslie, Rod Pacheco, and Wyman)

(Coauthor: Senator Margett)

February 5, 2001

An act to add Chapter 9.5 (commencing with Section 25850) to Division 15 of the Public Resources Code, relating to energy, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 33, as amended, Robert Pacheco. Public Education Facilities Renewable Energy Generation Grant Fund Program.

Under existing law, education is provided in this state by, in addition to other entities, school districts, county offices of education, community college districts, the California State University, and the University of California.

This bill would establish the Public Education Facilities Renewable Energy Generation Grant Program, the purpose of which would be to ~~provide incentives so that eligible electricity generating systems will offset part or all of~~ offset a public education facility's own electrical energy demand *through cogeneration facilities utilizing emerging technologies, as defined.*

The bill would require the ~~State Energy Resources Conservation and Development Commission~~ *offices of the Chancellor of the California*

Community Colleges, the Chancellor of the California State University, and the President of the University of California to administer the program by allocating funds for emerging technologies, as defined, through a competitive, market-based process that will allow eligible emerging technology manufacturers and suppliers to anticipate and plan for increased sale in installation volumes over the life of the program grants to public education facilities, as defined, to purchase, install, and operate eligible systems. The program would provide monetary rebates, buydowns, and equivalent incentives to purchasers or sellers of eligible electricity generating systems under an unspecified matching fund formula benefit a public education facility by reducing the cost of an eligible system.

The bill would require the ~~commission~~ *offices of the chancellors and the president* to determine if a program provision limiting the amount of funds available for any single project is warranted, and to determine how federal, state, or other funds or incentives not related to this bill that are already available, or that may become available, for eligible electricity generating systems, may impact the availability of funds allocated under this bill, if at all.

The bill would establish the Public Education Facilities Renewable Energy Generation Grant Fund in the State Treasury for purposes of the program. *The bill would continuously appropriate all moneys deposited in the fund to the Director of Finance for allocation for the purposes of the bill.*

The bill would ~~appropriate an unspecified amount transfer~~ \$200,000,000 from the General Fund to the Public Education Facilities Renewable Energy Generation Grant Fund for purposes of the program.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Chapter 9.5 (commencing with Section 25850)
- 2 is added to Division 15 of the Public Resources Code, to read:
- 3

CHAPTER 9.5. PUBLIC EDUCATION FACILITIES RENEWABLE
ENERGY GENERATION GRANT PROGRAM

25850. This chapter shall be known, and may be cited, as the Public Education Facilities Renewable Energy Generation Grant Program.

25851. The definitions set forth in this section govern the construction of this chapter unless the context otherwise requires.

(a) “CCC chancellor” means the Office of the Chancellor of the California Community Colleges.

(b) “Commission” means the State Energy Resources Conservation and Development Commission.

~~(b) “Eligible electricity generating systems” means ____.~~

~~(c)~~

(c) “CSU chancellor” means the Office of the Chancellor of the California State University.

(d) “Eligible electricity generating system” means any system utilizing emerging technologies as defined in subdivision (e).

(e) “Emerging technologies” means photovoltaic, solar thermal electric, fuel cell technologies that utilize renewable fuels, and wind turbines, provided that the technologies meet the emerging technology eligibility criteria contained in the report prepared by the commission entitled “_____.”

~~(d) emerging technology eligibility criteria.~~

(f) “President” means the Office of the President of the University of California.

(g) “Program” means the Public Education Facilities Renewable Energy Generation Grant Program established pursuant to this chapter.

~~(e) “Public education facilities” means facilities for kindergarten and grades 1 to 12, inclusive, community colleges,~~

(h) “Public education facilities” means facilities for community colleges, the California State University, and the University of California.

25852. The purpose of the program is to ~~provide incentives so that eligible electricity generating systems will offset part or all of~~ offset a public education facility’s own electrical energy demand through cogeneration facilities utilizing emerging technologies.

~~25853. The commission shall administer this chapter by allocating funds for emerging technologies through a competitive,~~

1 ~~market-based process that will allow eligible emerging technology~~
2 ~~manufacturers and suppliers to anticipate and plan for increased~~
3 ~~sale in installation volumes over the life of the program.~~

4 ~~25854. The program shall provide monetary rebates,~~
5 ~~buydowns, and equivalent incentives to purchasers or sellers of~~
6 ~~eligible electricity generating systems. Incentives shall benefit the~~
7 ~~end-use consumer of renewable generation by directly and~~
8 ~~exclusively reducing the cost of the eligible system. The~~
9 ~~commission shall provide the funds according to a _____ to _____~~
10 ~~matching formula.~~

11 ~~25855. Not less than _____ percent of the funds available for~~
12 ~~purposes of this chapter shall be expended for facilities for~~
13 ~~kindergarten and grades 1 to 12, inclusive. Not less than _____~~
14 ~~percent of the funds available for purposes of this chapter shall be~~
15 ~~expended for the California Community Colleges.~~

16 *25853. (a) The CCC chancellor, the CSU chancellor, and the*
17 *president shall administer this chapter by allocating grants to*
18 *public education facilities to purchase, install, and operate*
19 *eligible systems.*

20 *(b) To ensure the efficient implementation and administration*
21 *of the program, the CCC chancellor, the CSU chancellor, and the*
22 *president shall do both of the following:*

23 *(1) Within 45 days of the date that the act that adds this chapter*
24 *becomes operative, develop procedures for the solicitation of*
25 *award applications for project funding and procedures that ensure*
26 *that the program is efficiently managed.*

27 *(2) Evaluate and select programs and projects that, based on*
28 *merit, will be funded under the program.*

29 *25854. The program shall award grants to public education*
30 *facilities. A grant awarded under the program shall benefit an*
31 *eligible public education facility by directly and exclusively*
32 *reducing the cost of an eligible system. A grant may defray all or*
33 *a portion of the cost of a proposed system.*

34 *25855. Funds appropriated for the purposes of the program*
35 *shall be allocated to the CCC chancellor, the CSU chancellor, and*
36 *the president for disbursement to eligible public education*
37 *facilities under their respective jurisdictions in accordance with*
38 *all of the following:*

39 *(a) Fifty percent of the appropriated funds shall be allocated to*
40 *the CCC chancellor.*

(b) Thirty percent of the appropriated funds shall be allocated to the CSU chancellor.

(c) Twenty percent of the appropriated funds shall be allocated to the president.

25856. All eligible electricity generating system components shall be new and unused, and shall not have been previously placed in service in any other location or for any other application.

25857. All eligible electricity generating systems and their fuel resource shall be located on the premises of the ~~end-use consumer of the electricity produced~~ public education facility where the electricity is produced, including premises that are rented or leased by the institution of higher education. All eligible electricity generating systems shall be connected to the utility grid in California.

25858. The ~~commission~~ CCC chancellor, CSU chancellor, and the president shall determine if a program provision limiting the amount of funds available for any single project is warranted, and shall determine how federal, state, or other funds or incentives not related to this chapter that are already available, or that may become available, for eligible electricity generating systems, may impact the availability of funds allocated under this section, if at all.

25859. There is hereby established in the State Treasury the Public Education Facilities Renewable Energy Generation Grant Fund. ~~Moneys in the fund shall be available for~~ Notwithstanding Section 13340 of the Government Code, all moneys deposited in the fund are continuously appropriated to the Director of Finance for allocation for the purposes of this chapter.

~~SEC. 2. The sum of _____ dollars (\$_____) is hereby~~

SEC. 2. The sum of two hundred million dollars (\$200,000,000) is hereby ~~appropriated~~ transferred from the General Fund to the Public Education Facilities Renewable Energy Generation Grant Fund for purposes of Chapter 9.5 (commencing with Section 25850) of Division 15 of the Public Resources Code.

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